

## Bereskin & Parr



Barristers and Solicitors/Patent and Trade Mark Agents  
Practice Restricted to Intellectual Property Law

December 16, 2002

Micheline Gravelle B.Sc., M.Sc. (Immunol.)  
416 957 1682 mgravelle@bereskinparr.com

Your Reference: 09/933,131  
Our Reference: 10723-26

### By Facsimile

The Commissioner of Patents  
& Trademarks  
Washington, D.C. 20231  
U.S.A.

Dear Sir:

**Re: RESPONSE TO OFFICE ACTION**  
**United States Patent Application No. 09/933,131**  
**Entitled: Method of Modulating Tumor Immunity**  
**Inventors: Li Zhang and Kevin Young**  
**Filing Date: August 21, 2001**  
**Examiner: Michail A. Belyavskyi**  
**Art Unit: 1644**

---

The present letter is filed in response to the office action of November 18, 2002.

Applicant provisionally elects Group I, the claims readable thereon as being claims 1 and 4-7. This is without prejudice to Applicant filing divisional application to the Groups I-VII inventions.

In view of the foregoing comments, we respectfully submit that the application is in order for allowance and early indication of that effect is respectfully requested. Should the Examiner deem it beneficial to discuss the application in greater detail, he is

please send your reply to:

Scotia Plaza, 40 King Street West, 40th Floor  
Toronto, Ontario, Canada M5H 3Y2  
416 364 7311 fax: 416 361 1398

Meadowvale Corporate Centre, 2000 Argentia Road  
Plaza 4, Suite 430, Mississauga, Ontario, Canada L5N 1W1  
905 812 3600 fax: 905 814 0031

[www.bereskinparr.com](http://www.bereskinparr.com)

- 2 -

kindly requested to contact the undersigned by telephone at (416) 957-1682 at his convenience.

Respectfully submitted,

**Li Zhang and Kevin Young**



---

Micheline Gravelle  
Registration No. 40,261

Bereskin & Parr  
Box 401, 40 King Street West  
Toronto, Ontario  
Canada M5H 3Y2

(416) 364-7311

**Bereskin & Parr**



Box 401  
Scotia Plaza  
40 King Street West  
Toronto, Ontario  
Canada M5H 3Y2  
Telephone: (416) 364-7311  
Facsimile: (416) 361-1398

*Official*  
*[Signature]*  
12/17/02

**TELEFAX TRANSMITTAL**

TO: U.S. Patent & Trademark Office

ATTN: Michail A. Belyavskyi - Examiner, Art Unit No. 1644

FAX NO.: 703-305-3014 703-746-9034 TEL. NO.: 703-308-4232

RE: Serial No. 09/933,131 Filed - August 21, 2001 Our File No.: 10723-26

FROM: Micheline Gravelle, Registration No. 40,261

DATE: December 16, 2002 PAGES: 3  
(Including cover sheet)

If transmission is interrupted or of poor quality, please notify us immediately by calling (416) 364-7311 and asking for Jenny Lo at extension 6277.

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the attached Response is being facsimile transmitted to the U.S. Patent & Trademark Office on the date shown below.

*[Signature]*  
Micheline Gravelle  
Registration No. 40,261

December 16, 2002  
Date

**CONFIDENTIAL**

This communication may contain information that is privileged or confidential and is intended only for the use of the individual to whom it is addressed. Any other distribution, copying or disclosure is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us by mail. Thank you.